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Stephen Keith Chamberlain

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MICHAEL RICHARD LYNCH AND
STEPHEN KEITH CHAMBERLAIN

Defendants.

CASE NO. 3:18-cr-00577-CRB

**Declaration of Gary S. Lincenberg in
Support of Defendant Stephen
Chamberlain's Reply in Further Support of
His Motions to Dismiss Counts One through
Fifteen and Count Seventeen as Time-
Barred and for Preindictment Delay**

Date: November 29, 2023

Time: 1:30 p.m.

Place: Courtroom 6

Assigned to Hon. Charles R. Brever

DECLARATION OF GARY S. LINCENBERG

I, Gary S. Lincenberg, declare as follows:

1. I am an active member of the Bar of the State of California and a Principal with Bird, Marella, Boxer, Wolpert, Nessim, Dooks, Lincenberg & Rhow PC, attorneys of record for Defendant Stephen Keith Chamberlain in this action. I make this Declaration support of Mr. Chamberlain's reply in further support of his motions to dismiss Counts One through Fifteen and Count Seventeen as time-barred and for preindictment delay. Except for those matters stated on information and belief, I make this Declaration based upon personal knowledge and, if called upon to do so, I could and would so testify.

2. In 2016, prior to Mr. Hussain's indictment, I was engaged in pre-indictment discussions with the Government where they indicated that they were considering indicting Mr. Chamberlain. During those discussions, which included signing a tolling agreement to give the Government time to consider arguments made in my presentation to them, the Government did not suggest that Mr. Chamberlain would be indicted separately from Mr. Hussain.

3. To the best of my memory and my notes, I had no communications with the Government about the possibility that Mr. Chamberlain would be indicted from shortly after Mr. Hussain's indictment until June 2018, two months after Mr. Hussain was found guilty.

4. Attached as **Exhibit 1** is a true and correct copy of a pay stub for Mr. Chamberlain, dated October 31, 2011, which the Government produced in this matter under Bates number HP-SEC-01642009.

5. Attached as **Exhibit 2** is a true and correct copy of a letter from Martha Stolley, counsel for HP, to the Government, dated October 15, 2015, which the Government produced in this matter under Bates number USAO-EMAIL 008341.

1 I declare under penalty of perjury under the laws of the United States of America that the
2 foregoing is true and correct, and that I executed this Declaration on October 24, 2023, at Los
3 Angeles, California.

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5 /s/Gary S. Lincenberg
6 Gary S. Lincenberg
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